

Date: May 29, 2001

Statewide

**PUBLIC NOTICE  
NOTICE OF PUBLIC HEARINGS  
ON  
DRAFT GENERAL NPDES PERMIT  
FOR  
HOUSEHOLD SEWAGE TREATMENT SYSTEMS**

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA)—Division of Surface Water (DSW) has scheduled public hearings on the draft general National Pollutant Discharge Elimination System (NPDES) permit that may potentially provide coverage to discharges from select household sewage treatment systems (HSTS) serving one, two or three family residential dwellings in the state of Ohio. The draft general NPDES permit was issued on May 29, 2001. The Ohio EPA-DSW has developed this draft general NPDES permit through consultation with the Ohio Department of Health (ODH) and in conjunction with revisions to Ohio Administrative Code (OAC) 3701-29: Household Sewage Treatment Rules.

Since some of the discharges that may receive coverage under this general permit may result in new or increased discharges of pollutants to waters of the state, there may be a lowering of water quality, or degradation to these receiving waters. However, the chemical-specific water quality criteria developed to protect aquatic life and human health, set forth in OAC 3745-1, will not be exceeded. In accordance with OAC 3745-1-05, an antidegradation review will be conducted during the development of the general permit to determine the appropriateness and magnitude of coverage under the general permit and the associated potential lowering of water quality. It is anticipated that some discharges related to this general permit will not meet an exclusion from various portions of the antidegradation review as outlined by rule, therefore, mandating a detailed analysis of social, economic and technical issues associated with this permit proposal.

A series of five public hearings around the state on the draft general NPDES permit has been scheduled for:

Southwest District: Wednesday, July 25, 2001 at the Ohio EPA Southwest District Office, 401 East Fifth Street, Dayton, Ohio.

Northwest District: Monday, July 30, 2001 at the Ohio EPA Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio.

Central District: Wednesday, August 1, 2001 at the Ohio EPA Central Office, 122 South Front Street, Columbus, Ohio.

Southeast District: Tuesday, August 7, 2001 at the Ohio EPA Southeast District Office, 2195 Front Street, Logan, Ohio.

Northeast District: Thursday, August 9, 2001 at the Oliver R. Ocasek  
Government Center, 161 South High Street, Akron, Ohio

The public hearings will begin at 6:30 p.m. with an information session to address comments and will end when all interested parties have had an opportunity to provide testimony related to the draft permit. All interested persons are entitled to attend or be represented and give written and/or oral comments on the draft permit, and all persons who do so may, in the discretion of the providing officer, be questioned by other persons present. The purpose of the hearing is to obtain additional information that will be considered by the Director of Ohio EPA prior to any further action on the draft permit.

Copies of the draft general NPDES permit and the associated fact sheet and documentation can be obtained on the Ohio EPA-DSW web page at [www.epa.state.oh.us/dsw/docindex.html](http://www.epa.state.oh.us/dsw/docindex.html) or by contacting one of the following Ohio EPA district offices:

Southeast District Office	(740) 385-8501
Southwest District Office	(937) 285-6357
Northwest District Office	(419) 352-8461
Northeast District Office	(330) 963-1200
Central District Office	(614) 728-3778

Persons wishing to be on the Ohio EPA's interested parties mailing list for this project or wishing to submit comments for Ohio EPA's consideration may do so in writing to Ohio EPA's Division of Surface Water, Attention: Mark Stump, Water Resource Management Section, P.O. Box 1049, Columbus, Ohio 43216.

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**OHIO ENVIRONMENTAL PROTECTION AGENCY  
FACT SHEET FOR THE DRAFT STATEWIDE GENERAL NATIONAL POLLUTANT  
DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT COVERING DISCHARGES OF  
SANITARY WASTEWATER FROM SELECT HOUSEHOLD SEWAGE TREATMENT  
SYSTEMS**

I. Background

The Federal Water Pollution Control Act [also referred to as the Clean Water Act (CWA)], the Ohio Water Pollution Control Act and the Ohio Revised Code (ORC Chapter 6111) provide that discharge of pollutants to waters of the state from any point source is unlawful, unless the discharge is in compliance with an effective NPDES permit.

The purpose of issuing NPDES permits to discharges from select household sewage treatment systems (HSTSs) serving single family, two family or three family dwellings is to ensure that any wastewater discharges from these facilities are in compliance with all applicable state and federal water pollution control laws. Also, public health and safety will be better served by having such an applicable control document.

Ohio EPA has elected to issue a statewide general permit to possibly provide coverage of discharges from select replacement and/or new HSTSs serving single, two or three family dwellings in situations where on-site disposal of the wastewaters is not an option. Part I of the general permit provides a definition of those facilities eligible for coverage under the general permit.

The limits included in this general permit are representative of the best available demonstrated control technology for sanitary wastewater discharges as outlined by Ohio EPA rules. The general permit is intended to cover any HSTS that meets the eligibility requirements and was designed to meet these limits and that would consequently have a minimal impact on the environment.

The conditions under the heading "eligibility" are very important because discharges not eligible, such as co-mingled discharge streams, HSTSs discharge proposals from newly created lots, discharges to exceptional quality waters and discharges from industrial facilities, are addressed there.

II. Description of General Permit Coverage and Type of Discharge

The permit provides potential coverage for discharges from select new or replacement HSTSs serving single family, two family or three family dwellings to waters of the state. The permit does not cover any discharges that the Director of the Ohio EPA has determined to be contributing to a violation of a Water Quality Standard (WQS) as determined in Ohio Administrative Code Chapter 3745-01.

For the purpose of this permit, a new discharging HSTS is one that is to serve a new residential dwelling being constructed on an existing lot only when on-site disposal is not an option as determined by OAC 3701-29: Household Sewage Treatment Rules as administered by the local board of health and meets the eligibility requirements of the general permit, including the adequate receiving stream characteristics.

A replacement HSTS is one being installed to serve an existing residential dwelling that has inadequate sewage disposal and on-site disposal is not an option as determined by OAC 3701-29 and meets the eligibility requirements of the general permit.

### III. Description of Permit Conditions

Notice of Intent - Single family, two family or three family dwellings installing a new or replacement HSTS with a discharge as permissible in accordance with OAC 3701-29 must have the local health districts having jurisdiction submit, on behalf of the homeowner, a Notice of Intent (NOI) application to apply for coverage under the general permit. The USEPA's regulations at 40 CFR 122.21 (a) exclude facilities covered by general permits from requirements to submit an application for an individual permit.

NOI requirements are intended to establish a mechanism that can be used to establish a clear accounting of the number of facilities covered by the general permit, their identities, locations, mailing addresses, and nature of discharge.

To apply for general permit coverage, local health departments on behalf of the applicants/homeowners will be required to complete and submit an NOI application form that is available from Ohio EPA, along with an application fee of \$200. The NOI application form, and appropriate fees shall be submitted to the following address:

Ohio Environmental Protection Agency  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216 - 1049

Any HSTS serving a single family, two family or three family dwelling that is granted coverage under this general permit, may be required to connect into a publicly owned treatment works during the time this permit is effective, whenever a sanitary wastewater system of a publicly owned treatment works becomes available and accessible.

### IV. Eligibility Determining Factors

1. Except for discharges identified under item 2 below, this permit may cover point source discharges of wastewater from select new and replacement household sewage treatment systems (HSTS) serving an individual 1, 2 or 3 family dwelling as long as the following are met:
  - a. The Board of Health of the local health district having jurisdiction has signed a Memorandum of Understanding (MOU) with the Ohio EPA, as described in the general permit, in order to implement the program.
  - b. The site evaluation documentation, established in accordance with OAC 3701-29, provides justification that it is not feasible to design an alternative system that could eliminate the need for a point source discharge.
  - c. A system is designed to meet the applicable final effluent limitations and monitoring, requirements identified by the permit.
2. The following wastewater discharges associated with household sewage treatment systems are not eligible for coverage under this general permit:
  - a. any discharge in any local health district jurisdiction whose governing Board of Health has not signed a MOU as described in item 1 above and as described by the permit;
  - b. any discharge from a household sewage treatment system permitted to be installed, by the local health department, prior to the effective date of the permit and that of the appropriate rules (OAC 3701-29);

- c. any discharge that is mixed with another discharge, not covered by this permit, prior to reaching the receiving waters. If the wastewater discharge from a replacement system does combine with another waste stream prior to reaching the receiving waters, and meets the effluent sampling capability requirement in OAC 3701-29 making it possible to sample the wastewater discharge separately, the wastewater discharge may be covered by this permit;
- d. any discharge from a new lot created after the effective date of the permit and OAC 3701-29;
- e. any discharge from lots created prior to the effective date of the permit and OAC 3701-29, where a determination has been made by the Ohio EPA or the local health district that central sewers are practicable or advisable;
- f. any discharge or source that would conflict with an areawide waste treatment management plan adopted in accordance with section 208 of the Federal Water Pollution Control Act;
- g. any discharge from an existing household sewage treatment system;
- h. any discharge from a household sewage treatment system, except a replacement system meeting the eligibility criteria, to outstanding high quality waters, superior high quality waters, state resource waters, or outstanding national resource waters, as defined by rule 3745-1-05 of the Ohio Administrative Code, or direct tributaries to these waters within one mile of these waters;
- i. any discharge from a household sewage treatment system, except a replacement system meeting the eligibility criteria, to any waters of the state that are not considered a perennial stream with a watershed drainage area of at least 5 (five) square miles;
- j. any discharge from a household sewage treatment system, except a replacement system meeting the eligibility criteria, to any municipal separate storm sewer system, roadside ditch, agricultural ditch, swale or other manmade waters or drainage course.

#### V. Effluent Limitations and Monitoring Requirements

Effluent limitations and monitoring requirements are based on Water Quality Standards and best available demonstrated control technology for new sanitary wastewater discharges as outlined by OAC 3745-1-05.

#### VI. Notice of Termination

Each individual facility covered by the general permit must submit a Notice of Termination (NOT) form to terminate coverage under this permit once the wastewater discharges are eliminated. Failure to submit an NOT form constitutes a violation of the permit and is a violation of ORC 6111.

#### VII. Permit Justification–Antidegradation Review

The potential exists to authorize new discharges to waters of the state as a result of the issuance of this general permit. Therefore, the issuance of this permit is subject to review under the provisions of Ohio's Antidegradation Rule (OAC 3745-1-05). Under this review, Ohio EPA can only issue the permit after there has been a review of alternatives to the discharges, social and economic issues related to the activity, a public participation process and appropriate intergovernmental coordination and it has been determined that the lowering of water quality is necessary to accommodate important social and economic development in the state. Attachment A highlights the considerations made by Ohio EPA in evaluation of the appropriateness of issuance of this general permit and authorizing the subject discharges.

*Ohio EPA strongly encourages pollution prevention as the preferred approach for waste management. The first priority of pollution prevention is to eliminate the generation of wastes and pollutants at the source (source reduction). For those wastes or pollutants that are generated, the second priority is to recycle or reuse them in an environmentally sound manner.*

*Businesses can benefit economically, help preserve the environment, and improve your public image by implementing pollution prevention programs. For more information about pollution prevention, including fact sheets and the **Ohio Pollution Prevention and Waste Minimization Planning Guidance Manual**, please contact the Ohio EPA, Office of Pollution Prevention at (614) 644-3949.*

**Attachment A**  
**Permit Justification–Antidegradation Review Considerations**

**Magnitude of Proposed Lowering of Water Quality**

- Systems for new homes versus replacements for existing system failures  
Replacement of existing systems due to failure are expected to be the most frequent reason to use the general permit for authorization of a discharge. Discharging systems for new homes on existing parcels will be less likely to be eligible for coverage, due to the absence of adequate receiving waters in most cases. Over time, as existing lots are built out, there will be a continuing reduction in authorizations for discharging systems for new homes.
- Lowering of water quality versus abatement of sewage nuisances  
It is very likely that the implementation of this general permit will result in a net gain in water quality. Replacement systems will eliminate sewage nuisances and minimize the potential for pathogen contamination to the waters of the state. In many jurisdictions there will be a significant reduction in PTI approvals of discharging systems for new homes. This change in practice will reduce the level of discharge that would otherwise have continued without the general permit limitations.
- Quantitative estimates  
While accurate numbers are not available, some reasonable estimates of the magnitude of the reduction in discharges from 1, 2, and 3 family dwellings can be made. These estimates are derived from data gathered in a 1997 survey conducted by Karen Mancl at The Ohio State University. Of the projected 20,000 systems installed in Ohio annually, it is estimated that 25% of these are being permitted as discharging systems. Of these estimated 5000 new and replacement discharging systems installed each year in Ohio, it would be expected that discharges for new homes would be reduced by at least 75%, with an even greater reduction over time. While replacement systems may not see an actual reduction in the number of permitted discharges, there should be no lowering of water quality given the elimination of sewage nuisance conditions.

**Water Quality Impacts**

- Limitations on discharging systems for future new homes  
The criteria for eligibility under the general permit will significantly reduce the number of discharging systems for new homes built in the future. When considering the impacts to water quality affected by implementation of this general permit, current practices must be taken into consideration. If general permit limitations are not implemented, there will continue to be a significant number of new homes and new lots approved for discharging systems every day. The current practices that are presently lowering water quality must be weighed against the anticipated reduction in this degradation as a result of the general permit.
- Replacement systems that improve water quality  
In almost every case, a replacement system is permitted in an effort to abate a sewage nuisance related to the failure of an existing household system. In all such cases, there is no lowering of water quality. In fact, the replacement system may be eliminating or minimizing an existing source of degradation to the waters of the state, and thus serve to improve overall water quality.
- Site evaluation addresses minimum degradation alternative analysis

The general permit requires a site evaluation to determine the feasibility of designing an alternative system that can eliminate the need for a point source discharge. The limitations on coverage would also prohibit the use of a discharging system for a new lot created after the effective date of the general permit.

#### **Economic analysis for alternative systems**

- Not applicable for new home construction

The cost of building a new home must take into account the full cost of the HSTS. This cost must be accurately estimated in advance so that adequate financing is secured. Despite the value of the home being built or placed on the site, the design of the HSTS must meet all site limitations. Those sites with marginal soils for the treatment of wastewater will incur a higher percentage of the overall lot development costs for the HSTS, and must be properly financed to assure adequate wastewater treatment. For new housing, there is no justification for the design and installation of a "cheap" system that will result in poor wastewater treatment impacting both the new owner, neighbors, and the community at large.

- Proposed HSTS rules require that site limitations be identified for new lots

When lots are being developed and sold for new homes utilizing individual HSTS, site limitations which will affect the design and ultimate cost of the HSTS must be defined for each lot. This information should be readily available to the future buyers and homebuilders. Developers may find that lots having marginal soils for the treatment of wastewater have a lower market value if being sold for homes to be serviced by individual HSTS.

- Proposed HSTS rules would close the ORC 711 five acre loop hole for unsewered areas

Each lot being proposed for a residence using a HSTS must have a site evaluation, regardless of the size of the proposed lot. This will allow for identification of site limitations and the reconfiguration of a proposed lot to accommodate adequate HSTS wastewater treatment and a full replacement area. This will prevent the local health district from being pressured to approve discharging systems for lots that have been recorded without the required review, including those five acre "bowling alley" lots developed along waterways in an effort to force approval of discharging systems.

- Site evaluation justification for discharge must address alternatives

The NOI forwarded to Ohio EPA from the local health district will include the site evaluation and a discharge justification. These documents will include reasons why soil absorption options or connection to central sewers are not feasible for the site. In this way, each site will have an individual evaluation of the available minimum degradation alternatives.

- Preserve value of existing homes with failed systems

As discussed when considering the magnitude of the proposed lowering of water quality, replacement HSTS for existing homes with failed systems is estimated to make up the majority of the discharges potentially authorized under this general permit. This will allow for a legal means of abating sewage nuisances through the use of discharging systems when soil absorption options are not feasible. Replacing failed systems with managed discharges that meet water quality standards allows for the restoration of housing values, both for isolated residences with failing systems and in identified sewage nuisance areas.

- Monitoring and management requirements less than cost of central sewers

There will be added costs associated with minimal degradation alternatives and monitoring requirements for approved HSTS discharges. Under the proposed HSTS rules, all future systems will require ongoing management with the frequency of the operational assessment being commensurate with the complexity of the system. These added management requirements provide a necessary level of quality assurance for HSTS.



## Social/economic impacts for the community

- Reduce degradation from new systems

As communities must begin to account for nonpoint source pollution impacts, degradation associated with poorly treated HSTS discharges and failing soil absorption systems will be more closely scrutinized. The use of alternative soil absorption systems will significantly reduce the current level of approval for discharging HSTS for new homes. There will be added costs associated with these alternative systems in order to adequately identify and address site limitations and to assure adequate treatment. The developer, builder, and homeowner will be expected to cover this cost. Currently costs associated with lowered water quality from improperly sited and/or operated HSTS are indirectly passed on to the community at large or the homeowner at a later date when central sewers may be ordered to be installed, often at great cost to the homeowner. It is anticipated that the revised ODH rules and this general permit will work to prevent situations in the future where multiple failing systems will result in unsanitary conditions requiring central sewers.

- Enhance water quality through the replacement of failed systems

As the general permit is utilized to authorize discharging replacement systems, these discharges will meet enhanced water quality standards and monitoring requirements. There will also be a significant improvement in overall water quality from the elimination of the sewage nuisances from failing systems. In addition to the benefits to the individual residence, neighboring properties and surrounding local communities will benefit from the improvement in water quality.

- Assure new housing development lots are sized for onsite systems

The advance review requirements related to new lot development will assure that HSTS are sited and designed to meet the long term residential wastewater treatment needs of the individual homeowners and the community. With advanced review and input on lot configurations to accommodate both initial and replacement soil absorption systems for each lot, developers and local community personnel can evaluate alternative wastewater treatment options such as sewer extensions or small community systems. Both the development costs and community interests can be explored with consideration for the wastewater infrastructure needs of the area.

- Reduce need for sewer extensions

The general permit will serve to support and encourage individual or community solutions for the many existing nuisance areas related to HSTS failures. It is well known that many of these areas cannot feasibly be served by the extension of sewer mains from central sewer systems. When community systems are also determined to be infeasible, the provision for more stringent water quality standards and monitoring assurances under this general permit will allow consideration of managed individual system replacement options.

- Management requirements will create jobs

Management of individual systems is a key component of the proposed HSTS rules addressing all future systems installed for 1, 2, and 3 family dwellings. This management requirement will attempt to provide the quality assurance necessary to confirm operational compliance for each system and to protect human health and the environment. In addition, the management requirements will assure that preventive maintenance is conducted in a timely manner. This maintenance service will be provided by the private sector. The private sector role in this maintenance area will promote increased job opportunities in local communities.

Issue Date:  
Effective Date:  
Expiration Date:

**OHIO ENVIRONMENTAL PROTECTION AGENCY  
GENERAL PERMIT AUTHORIZATION TO DISCHARGE WASTEWATER  
FROM NEW AND REPLACEMENT  
HOUSEHOLD SEWAGE TREATMENT SYSTEMS  
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereafter referred to as "the Act"), the Ohio Water Pollution Control Act (Ohio Revised Code Chapter 6111) and regulations adopted thereunder, discharges of wastewater, as defined in Part I.C. of this permit, are authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA", from the outfalls at the sites and to the receiving waters identified in the applicant's Notice of Intent application (NOI) on file with Ohio EPA in accordance with the conditions specified in Parts I through VI and Attachments I through V of this permit.

It has been determined that a lowering of water quality of various waters of the state associated with granting coverage under this permit is necessary to accommodate important social and economic development in the state of Ohio. In accordance with OAC 3745-1-05, this decision was reached only after examining a series of technical alternatives, reviewing social and economic issues related to the degradation, and considering all public and intergovernmental comments received concerning the proposal.

Granting of permit coverage is conditioned upon payment of applicable fees, if any, and submittal of the Notice of Intent form or individual NPDES permit application where applicable.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA (see Part II and Attachment I).

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Director

## Part I. COVERAGE UNDER THIS PERMIT

- A. **Permit Area.** This permit covers the entire state of Ohio.
- B. **Applicability.** Ohio Revised Code Chapter 6111 provides that discharges of pollutants from a point source to waters of the state are unlawful, unless authorized by an NPDES permit. Dischargers who are eligible for coverage under this permit and who submit a Notice of Intent application (NOI) in accordance with the requirements of Part II and Attachment I of this permit are in compliance with the NPDES application requirements for such wastewater discharges.
- C. **Eligibility.**
1. Except for discharges identified under paragraph I.C.2., this permit may cover all point source discharges of wastewater from new and replacement household sewage treatment systems (HSTS) serving an individual 1, 2 or 3 family dwelling as long as the following are met:
    - a. The Board of Health of the local health district having jurisdiction has signed a MOU as described in paragraph 1. in Part I.D.
    - b. The site evaluation documentation, established in accordance with OAC 3701-29, provides justification that it is not feasible to design an alternative system that could eliminate the need for a point source discharge.
    - c. A system is designed to meet the applicable final effluent limitations and monitoring requirements in Part III and Attachment II of this permit.
  2. **Limitations on Coverage.** The following wastewater discharges associated with household sewage treatment systems are not eligible for coverage under this general permit:
    - a. any discharge in any local health district jurisdiction whose governing Board of Health has not signed a MOU as described in paragraph 1. in Part I.D;
    - b. any discharge from a household sewage treatment system permitted to be installed, by the local health department, prior to \_\_\_\_\_, 200\_\_ ; [effective date of ODH's proposed rules]
    - c. any discharge that is mixed with another discharge, not covered by this permit, prior to reaching the receiving waters. If the wastewater discharge from a replacement system does combine with another waste stream prior to reaching the receiving waters, and meets the effluent sampling capability requirement in OAC 3701-29 making it possible to sample the wastewater discharge separately, the wastewater discharge may be covered by this permit;
    - d. any discharge from a new lot created after \_\_\_\_\_, 200\_\_ [effective date of ODH's proposed rules] where site evaluation documentation confirms that the lot or lots could be configured to accommodate alternative systems that eliminate the need for a point source discharge;
    - e. any discharge from a lot, new or existing, where a determination has been made by the Ohio EPA or the local health district that central sewers are practicable or advisable;

- f. any discharge or source that would conflict with an areawide waste treatment management plan adopted in accordance with section 208 of the Federal Water Pollution Control Act;
- g. any discharge from an existing household sewage treatment system;
- h. any discharge from a household sewage treatment system, except for a replacement system meeting the eligibility criteria, to outstanding high quality waters, superior high quality waters, state resource waters, or outstanding national resource waters, as defined by rule 3745-1-05 of the Ohio Administrative Code, or direct tributaries to these waters within one mile of these waters;
- i. any discharge from a household sewage treatment system, except for a replacement system meeting the eligibility criteria, to any waters of the state that are not considered a perennial stream with a watershed drainage area of at least 5 (five) square miles;
- j. any discharge from a household sewage treatment system, except for a replacement system meeting the eligibility criteria, to any municipal separate storm sewer system, roadside ditch, agricultural ditch, swale or other manmade waters or drainage course.

**D. Authorization.**

- 1. Authorization to discharge under this general permit shall only be granted in those local health district jurisdictions whose governing Boards of Health have signed Memorandums of Understanding (MOU) with the Ohio Department of Health and the Ohio EPA. The MOU shall define the responsibilities of each party, and shall require the local health district to submit a justification for the discharge based on site evaluation documentation.
- 2. Local health districts, on behalf of the dischargers of wastewater authorized under this general permit, must submit a NOI in accordance with the requirements of Part II and Attachment I of this permit, using a NOI form provided by the Director.
- 3. After the NOI form is reviewed by the Ohio EPA, the applicant, local health district having jurisdiction, and the Ohio Department of Health shall be notified as to Ohio EPA's approval or denial for coverage under this general permit.
- 4. The Director may require submittal of an application for an individual NPDES permit based on a review of the NOI or other information.

**Part II. NOTICE OF INTENT REQUIREMENTS**

Dischargers wishing to be covered by this permit must submit a Notice of Intent (NOI) to accept coverage under the permit. NOIs must be submitted on Ohio EPA forms, along with the NOI fee, to the Ohio EPA office of Fiscal Administration, P.O. Box 1049, Columbus, Ohio 43216-1049. In addition, dischargers granted covered under this permit shall comply with the specific provisions listed in Attachment I of this permit.

**Part III. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

Dischargers covered by this permit are required to have their effluent discharges monitored and/or evaluated once per year for flow, total suspended solids, ammonia-nitrogen, CBOD<sub>5</sub>, fecal coliform, color, odor, turbidity, dissolved oxygen and total residual chlorine.

Effluent limits are 12 mg/l (30-day average) and 18 mg/l (daily maximum) for total suspended solids, 10 mg/l (30-day average) and 15 mg/l (daily maximum) for CBOD<sub>5</sub>, 1.0 mg/l (30-day average) and 1.5 mg/l (daily maximum) for summer ammonia-nitrogen, 3.0 mg/l (30-day average) and 4.5 mg/l (daily maximum) for winter ammonia-nitrogen and 1000 counts/100 ml (30-day average) and 2000 counts/100 ml (daily maximum) for fecal coliform. Total residual chlorine discharges shall not exceed a limit of 0.019 mg/l at any time and dissolved oxygen shall not be less than 6.0 mg/l at any time. In addition, dischargers covered by this permit shall comply with the specific requirements of Attachment II of this permit.

#### **Part IV. SPECIAL CONDITIONS**

This part of the permit specifies sampling locations, grab sample procedures and observation methods for the effluent. The Ohio EPA also retains the right to change or modify this permit in response to changes in regulatory requirements. In addition, dischargers covered by this permit shall comply with the specific provisions listed in Attachment III of this permit.

#### **Part V. STANDARD PERMIT CONDITIONS**

These are general compliance and reporting requirements applicable to all permits, most of which are required by State and/or federal rules. This includes what to do in case of a discharge containing pollutants in excess of reportable quantities or discharges that are not otherwise specifically authorized by this permit. In addition, dischargers covered under this permit shall comply with the specific provisions listed in Attachment IV of this permit.

#### **Part VI. DEFINITIONS**

The definitions listed in Attachment V shall apply to this permit.

## **Attachment 1. NOTICE OF INTENT REQUIREMENTS**

### **A. Deadlines for Notification.**

1. No NOIs will be accepted prior to the effective date of this permit.
2. Coverage under the general permit is transferable.

### **B. Contents of Notice of Intent.** On behalf of the applicant, the local health district having jurisdiction shall submit an approved NOI form provided by Ohio EPA. The NOI shall include the information required by the NOI form and its instruction sheet and any additional information required under the MOU. Failure to follow the NOI instructions may result in the NOI being returned to the local health district.

### **C. Where to Submit.** NOIs must be signed in accordance with Part V and Attachment IV.D of this permit. A check in the amount designated on the form, payable to "Treasurer, State of Ohio," must accompany the NOI form. NOIs are to be submitted, by the local health district having jurisdiction, to the Ohio EPA at the following address:

**Ohio Environmental Protection Agency  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216-1049**

### **D. Additional Notification.** On behalf of dischargers at 1, 2 or 3 family dwellings that discharge wastewater associated with replacement household sewage treatment systems through a municipal separate storm sewer system, local health districts having jurisdiction shall, in addition to filing copies of the NOI in accordance with Part II and Attachment I.C of this permit, also submit signed copies of the NOI to the operator of the storm sewer system through which the replacement household sewage treatment system discharges.

### **E. Renotification for Permit Renewal.** In order to receive authorization to discharge beyond the date of expiration of the general permit (i.e. renew existing general permit), the local health district shall notify the Director, on behalf of all permittees within their jurisdiction, of the intent to be covered under the new general permit (submission of new NOIs) within 45 days after the effective date of the renewed general permit.

### **F. Notice of Termination (NOT).** When a discharge that is authorized by this permit is eliminated, the local health district, on behalf of the permittee, shall submit a Notice of Termination.

1. The Notice of Termination shall include the information required by the NOT form and its instruction sheet.
2. All Notices of Termination are to be sent, using the form provided by the Director, to the following address:

**Ohio Environmental Protection Agency  
Office of Fiscal Administration  
P.O. Box 1049  
Columbus, Ohio 43216-1049**

**Attachment II. FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS FOR DISCHARGES FROM HSTS DESIGNED IN ACCORDANCE WITH OAC 3701-29.**

- A. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements.

<u>EFFLUENT CHARACTERISTICS</u>			<u>DISCHARGE LIMITATIONS</u>		<u>MONITORING REQUIREMENTS (3)</u>	
Reporting Code	Units	Parameter	Concentration 30 Day	Daily	Meas. Frequency	Sample Type
00056	GPD	Flow Rate	-	-	1/year	24HrTot.Est.
00530	mg/l	Total Suspended Solids	12	18	1/year	Grab
00610	mg/l	Nitrogen,Ammonia(NH <sub>3</sub> )				
		(summer)	1.0	1.5	1/year	Grab
		(winter)	3.0	4.5	1/year	Grab
80082	mg/l	CBOD <sub>5</sub>	10	15	1/year	Grab
31616	#/100ml	Fecal Coliform	1000	2000	1/year	Grab
00083	-	color, severity (1)	-	-	1/year	Estimate
01330	-	odor, severity (1)	-	-	1/year	Estimate
01335	-	turbidity, severity (1)	-	-	1/year	Estimate
00300	mg/l	Dissolved Oxygen	not less than 6.0 at any time		1/year	Grab
50060	mg/l	Chlorine,total residual (2)	not to exceed 0.019 at any time		1/year	Grab

(1) See Part IV and Attachment III, E.

(2) See Part IV and Attachment III, F.

(3) Additional operational monitoring requirements shall comply with those listed in OAC 3701-29 for all system components, including service contracts for proprietary units as applicable.

**Attachment III. SPECIAL CONDITIONS**

- A. This permit may be modified, or revoked and reissued, to comply with any applicable standards or regulations.
- B. Grab samples shall be collected at such times and locations, and in such fashion, as to be representative of the facility's performance.
- C. Samples taken in compliance with the effluent monitoring requirements shall be collected following treatment and prior to either direct discharge to the receiving stream or discharge to the receiving stream via a storm sewer.
- D. Sample results shall be submitted to the local health district having jurisdiction.
- E. For turbidity, odor and color, use the following table to determine the value between 0 and 4 that is reported.

REPORTED VALUE*	SEVERITY DESCRIPTION	TURBIDITY	ODOR	COLOR
0	None	Clear	None	Colorless
1	Mild			
2	Moderate	Light Solids	Musty	Grey
3	Serious			
4	Extreme	Heavy Solids	Septic	Black

\* interpolate between the descriptive phrases

- F. **Disinfection.** Effluent disinfection is not directly required. However, the permittee is required to meet all applicable discharge permit limits. If disinfection facilities exist, they shall be maintained in an operable condition. Disinfection may be required if Ohio EPA determines that future bacteriological studies or emergency conditions indicate the need.
- G. **Dechlorination.** If dechlorination is necessary to achieve compliance with the residual chlorine limit in this permit, the discharger shall utilize the system's dechlorination device if available, or shall apply for an alteration permit from the local health district having jurisdiction.
- H. Nothing in this permit should be considered to authorize any construction or operation that also requires a permit or other authorization from the local health department.



#### Attachment IV. STANDARD PERMIT CONDITIONS

##### A. Duty to Comply.

1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Ohio Revised Code Chapter 6111 and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
2. Penalties for Violations of Permit Conditions.
  - a. Criminal
    - (1) Ohio Revised Code Chapter 6111 provides that any person who violates permit conditions is subject to a fine and or imprisonment.
    - (2) Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information. ORC Section 6111.99 provides that any person who knowingly submits false information or records or fails to submit information or records shall be fined not more than \$25,000.
    - (3) ORC Section 6111.99 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
    - (4) ORC Section 6111.99 provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
    - (5) ORC 6111.99 provides that any person who violates Sections 6111.04, 6111.042., 6111.05., or paragraph (A) of Section 6111.07 of the Revised Code shall be fined not more than twenty-five thousand dollars or imprisoned not more than one year, or both.
  - b. Civil

Ohio Revised Code Chapter 6111 provides that any person who violates a permit condition is subject to a civil penalty.

- B. **Continuation of the Expired General Permit.** An expired general permit continues in force and effect until a new general permit is issued provided the NOI has been submitted within 45 days after the effective date of the renewed general permit.
- C. **Need to halt or reduce activity not a defense.** 40 CFR Section 122.41(c) states that it shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. **Signatory Requirements.** All Notices of Intent, Notices of Termination, reports, certifications or information either submitted to the Director (and/or the operator of a separate storm sewer system), or that this permit requires be maintained by the local health district on behalf of the permittee, shall be signed.

1. All Notices of Intent shall be signed by the permittee and an authorized representative of the local health district having jurisdiction.
2. All reports required by the permit and other information requested by the Director shall be signed by an authorized representative of the local health district having jurisdiction. Any person signing documents under this section shall make the following certification:

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and or imprisonment for knowing violations."*

**E. Requiring an individual permit or an alternative general permit.**

1. The Director may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Director to take action under this paragraph. The Director may notify the owner or operator in writing that a permit application is required. This notice may include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Individual permit applications shall be submitted to the appropriate Ohio EPA District Office. The Director may grant additional time to submit the application upon request of the applicant. If an owner or operator fails to submit in a timely manner an individual NPDES permit application as required by the Director, then the applicability of this permit to the individual NPDES applicant is automatically terminated at the end of the day specified for application submittal. Any discharge past this date is illegal and subject to enforcement, unless the proper NPDES permit is obtained.
2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. The owner or operator shall submit an individual application on forms provided by Ohio EPA, along with reasons supporting the request to the Director. Individual permit applications shall be submitted to the appropriate Ohio EPA District Office. The request may be granted by the issuance of any individual permit or an alternative general permit if the reasons cited by the owner or operator are adequate to support the request (see Part I.C)
3. When an individual NPDES permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is authorized for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be.

Ohio Administrative Code, Chapter 3745-38-04, lists several cases where the Director may require an individual NPDES permit be issued to a permittee covered under the general permit.

- F. Environmental Laws.** No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
- G. Inspection and Entry.** The permittee shall allow the Director or an authorized representative of Ohio EPA or other designated representative or, in the case of a facility that discharges through a municipal separate storm sewer, an authorized representative of the municipal operator of the municipal separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:
1. enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
  2. have access to and copy at reasonable times any records that may be available under the conditions of this permit;
  3. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  4. sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by Ohio Revised Code Chapter 6111, any substances or parameters at any location.
- H. Upset.** The provisions of 40 CFR Section 122.41(n), relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset," see Part VI and Attachment V of this permit (Definitions).
- I. General Effluent Limitations.** The effluent shall, at all times, be free of substances:
1. in amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
  2. of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or sheen;
  3. in amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
  4. in amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
  5. in amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion; and
  6. in amounts that will impair designated instream or downstream water uses.
  7. that may result in public health nuisances, as defined by OAC 3745-1-04, associated with raw or poorly treated sewage.
- J. Facility Operation and Quality Control.** All sanitary sewage treatment facilities shall be operated in a manner consistent with the following:

1. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
2. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge, and may be required to provide evidence of a service contract as applicable under OAC 3701-29.
3. Maintenance of wastewater treatment works that may result in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by the Ohio EPA as specified in the Paragraph in Part V and Attachment IV.R.(UNAUTHORIZED DISCHARGES).

**K. Reporting.**

1. All monitoring data required by this permit shall be submitted to the local health district having jurisdiction and shall be retained by the health district for inspection.
2. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above. Additionally, any analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall be reported to the local health district having jurisdiction.

**L. Sampling and Analytical Methods.** Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to 40 CFR Part 136, "Test Procedures For The Analysis of Pollutants" unless other test procedures have been specified in this permit. The facility performing the analyses shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals necessary to ensure accuracy of measurements.

**M. Recording of Results.** For each measurement or sample taken pursuant to the requirements of this permit, the permittee, permittee's agent or local health district having jurisdiction shall record the following information:

1. the exact place, time and date of sampling;
2. the person(s) who performed the sampling or measurements;
3. the date the analyses were performed on those samples;
4. the person(s) who performed the analyses;
5. the analytical techniques or methods used; and
6. the results of all analyses and measurements.

**N. Records Retention.** The local health district having jurisdiction, on behalf of the permittee, shall retain all of the following records for the wastewater treatment works for a minimum of three years (unless otherwise noted), including:

1. all sampling and analytical records (including internal sampling data not reported);

2. all original recordings for any continuous monitoring instrumentation;
3. all instrumentation, calibration and maintenance records;
4. all plant operation and maintenance records;
5. all reports required by this permit; and
6. records of all data used to complete the application for this permit shall be maintained until such time as the system is abandoned.

These periods will be extended during the course of any unresolved litigation, or when requested by the USEPA Regional Administrator or the Ohio EPA. The three year period for retention of records shall start from the date of sample, measurement, report, or application.

- O. Availability of Reports.** Except for data determined by Ohio EPA to be entitled to confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the local health district having jurisdiction.
- P. Duty to Provide Information.** The local health district having jurisdiction, on behalf of the permittee shall furnish to the Director or the Ohio Department of Health, within a reasonable time, any information which the Director or Ohio Department of Health may request to determine whether cause exists for modifying, revoking, revoking and reissuing, or terminating the permit, or to determine compliance with this permit. The local health district having jurisdiction, on behalf of the permittee shall also furnish to the Director or the Ohio Department of Health, upon request, copies of records required to be kept by this permit.
- Q. Unauthorized Discharges.**
1. Bypassing or diverting of wastewater from the treatment works is prohibited unless:
    - a. bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - b. there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of downtime. This condition is not satisfied if adequate back up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - c. the permittee submitted notices as required under Part V and Attachment IV. R.4. of this permit.
  2. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass.
  3. The Director may approve an unanticipated bypass, after considering its adverse effects, if the Director determines that it has met the three conditions listed in Part V and Attachment IV. R.1. of this permit.
  4. The permittee shall submit notice of an unanticipated bypass as required in Part V and Attachment IV. R of this permit (24-hour notice).
  5. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded if that bypass is for essential maintenance to assure efficient operation. The permittee shall monitor effluent quality during these episodes at any frequency necessary to accurately and fully characterize the event.

- R. Noncompliance Notification.** The permittee shall by telephone report to the local health district having jurisdiction within twenty-four (24) hours of discovery of any noncompliance with this permit or of any required maintenance performed on the household sewage treatment system which may endanger health or the environment.
- S. Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.
- T. Discharge Changes.** The local health district, on behalf of the permittee, shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

Following this notice, a determination will be made as to whether the permit should remain unchanged or be terminated. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required.

Should planned changes result in the facility no longer serving a 1, 2, or 3 family dwelling, the owner/local health department shall notify the Ohio EPA of these changes. If the household sewage treatment system needs to be modified, a Permit-to-Install (PTI) is required by OAC rule 3745-31-02 in order to install or modify treatment/disposal systems. The approval of coverage under this general permit shall in no way be construed as approval of detail plans or a PTI. The approval of a PTI does not relieve a facility of the duty to obtain an NPDES permit. Discharges to surface waters require an effective NPDES permit, including those discharges from systems for which a PTI was obtained.

- U. Toxic Pollutants.** The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director may modify this permit and so notify the permittee.

**V. Permit Revocation.**

1. After notice and opportunity for a hearing, permit coverage may be revoked by the Ohio EPA during its term for cause including, but not limited to, the following:
  - a. a violation of any terms or conditions of this permit;
  - b. obtaining coverage under this permit by misrepresentation or failure to disclose fully all relevant facts;
  - c. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge; or
  - d. obtaining coverage under an individual or alternative general permit is required (see Part V and Attachment IV.F.).
2. The filing of a request by the permittee for permit coverage revocation does not stay any permit condition. See Part II and Attachment I.F. for requirements regarding Notice of Termination (NOT).

- W. Oil and Hazardous Substance Liability.** With the exception of full compliance with the effluent limitations found in this general permit, nothing in this permit shall be construed to preclude the institution of any legal

action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

- X. **Solids Disposal.** Collected screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into waters of the state.
- Y. **Construction Affecting Navigable Waters.** This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.
- Z. **Civil and Criminal Liability.** Except as exempted in the permit conditions Part V and Attachment IV.R.(UNAUTHORIZED DISCHARGES) or Part V and Attachment IV.I.(UPSETS) of the permit, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.
- AA. **State Laws and Regulations.** Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.
- AB. **Property Rights.** The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
- AC. **Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- AD. **Applicable Federal Rules.** All references to 40 CFR in this permit mean the version of 40 CFR which is effective as of the effective date of this permit.
- AE. **Pollution Prevention.** It is suggested that, if applicable, the permittee evaluate potential prevention methods and install the latest pollution prevention technology if it is economically feasible. If pollution prevention methods are currently being used, it is suggested that they be re-evaluated; the latest pollution prevention technology should be installed if applicable, necessary, and economically feasible.

#### **Attachment V. DEFINITIONS**

"Absolute Limitations" Compliance with limitations having descriptions of "shall not be less than," "nor greater than," "shall not exceed," "minimum," or "maximum" shall be determined from any single value for effluent samples and/or measurements collected.

"Act" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act), 33 USC.1251 et seq.

"Board of Health" means the board of health of a city or general health district created by or under the authority of Chapter 3709 of the Revised Code, the authority having the duties of a board of health in any city as authorized under section 3709.05 of the Revised Code.

"Bypass" means the intentional diversion of waste streams from any portion of the sanitary sewage treatment facility.

"Daily concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of concentration limitation made during the day. If only one sample is taken during the day, its concentration is the daily concentration limitation. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"Director" means the Director of Ohio EPA or an authorized representative.

"Existing" For the purpose of this permit, an existing point source discharge is one described under the limitation in paragraph 2.g. of Part 1.C.

"GPD" means gallons per day.

"Household Sewage Treatment System (HSTS)" means any sewage disposal or treatment system or part thereof for a single family, two family, or three family dwelling which receives sewage.

"Local health district" means a city or general health district as created by or under the authority of Chapter 3709 of the Revised Code.

"mg/l" means milligrams per liter.

"municipal separate storm sewer system" means a system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) ... including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges into waters of the United States.
- (ii) Designed or used for collecting or conveying storm water;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW).

"National Pollutant Discharge Elimination System (NPDES)" means the national program for issuing, modifying, revoking, revoking and reissuing, terminating, monitoring and enforcing permits, and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Act. The term includes an "approved program".

"NOI" means notice of intent to be covered by this permit (see Part II and Attachment I of this permit).

"NOT" means notice of termination.

"Perennial stream" means a natural waters of the state with a defined stream bed and bank and constant source of flowing water.

"Receiving waters" means the waters of the state into which point and non-point sources flow.



"Replacement system" means any household sewage treatment system for an existing single family, two family or three family dwelling that requires an installation permit from the local health district having jurisdiction, excluding an initial system installed when the original dwelling was built or placed on the lot.

"Reporting Code" is a five digit number used by Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used nor the sampling techniques employed.

"Severe property damage" means substantial physical damage to property, damage to the treatment facilities that would cause them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

"Sewage" means any substance that contains waste products or excrementitious or other discharge from the bodies of human beings or animals.

"Summer" shall be considered to be the period from May 1 through October 31.

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

"Waters of the State" means all streams, lakes, reservoirs, ponds, marshes, wetlands, watercourses, waterways, springs, irrigation systems, drainage systems, and all other bodies or accumulations of surface water, natural or artificial, that are situated wholly or partly within, or border upon this state, or are within its jurisdiction, except those private waters that do not combine or effect a junction with natural surface waters.

"Winter" shall be considered to be the period from November 1 through April 30.

"Yearly sampling frequency" means the sampling shall be done annually.

"30-day concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of daily concentration made during the 30-day period. If only one sample is taken during the 30-day period, its concentration is the 30-day concentration for that 30-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.

"#/100ml" means the number of bacteria per 100 milliliters of sample.